

JAN 12 2006

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JIN WU,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-76744

Agency No. A95-195-576

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 9, 2006^{**}

Before: HUG, O'SCANNLAIN, and SILVERMAN, Circuit Judges.

Jin Wu, a native and citizen of China, petitions pro se for review of the Board of Immigration Appeals' order summarily affirming the Immigration Judge's ("IJ") order denying his application for asylum and withholding of

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

removal. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review adverse credibility findings for substantial evidence, *Chebchoub v. INS*, 257 F.3d 1038, 1042 (9th Cir. 2001), and we deny the petition for review.

The IJ denied relief on the ground that Wu was not credible. The record does not compel a contrary conclusion. *See id.* First, Wu's testimony regarding who informed him that he had been terminated from his job after he organized a demonstration was internally inconsistent and inconsistent with his declaration. *See id.* at 1043 (explaining that one material inconsistency can be sufficient to support an adverse credibility determination). Second, Wu failed to corroborate his claim that he currently practices Christianity. *See Sidhu v. INS*, 220 F.3d 1085, 1090 (9th Cir. 2000) (explaining that if the trier of fact does not know what to believe, the applicant's failure to corroborate his testimony can be fatal to his asylum application).

In the absence of credible testimony, petitioner failed to demonstrate eligibility for asylum or withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

PETITION FOR REVIEW DENIED.